



PATENT
Docket No.: 20959/1680 (P 59109)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Neubert et al.)	Examiner:
Serial No.	:	10/079,071)	Patrick Niland
Cnfrm. No.	:	6986)	Art Unit:
Filed	:	February 20, 2002)	1714
For	:	FILLER ON THE BASIS OF PARTICULATE COMPOSITE)	
)	
)	

NOTICE OF APPEAL

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

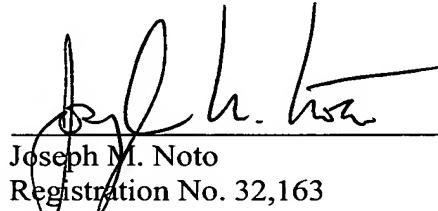
Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Primary Examiner's decision dated March 7, 2005, finally rejecting claims 1-9 and 12-34.

Enclosed is a check to cover the \$500 cost of the appeal fee.

Please charge any additional fees which may be required or credit any overpayment to Deposit Account No. 14-1138. A duplicate copy of this form is attached.

Respectfully submitted,


Joseph M. Noto
Registration No. 32,163

Dated: September 7, 2005

NIXON PEABODY LLP
Clinton Square, P. O. Box 31051
Rochester, New York 14603-1051
Telephone: (585) 263-1601
Facsimile: (585) 263-1600

09/09/2005 RFEKADU1 00000001 10079071

01 FC:1401

500.00 0P

R874100.1

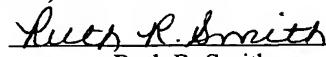
CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

September 7, 2005

Date


Ruth R. Smith